

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
Avoyelles DIVISION

RECEIVED

MAR 09 2022

TONY R. MOORE CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT LOUISIANA

x Jeffery Scott Darbonne 404394
Full Name of Plaintiff & Prisoner Number

1:22-cv-0680 SEC P

Civil Action

v.

Judge

x _____
Defendant

Magistrate Judge

COMPLAINT
PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983

I. Previous Lawsuits

- x a. Have you begun any other lawsuit while incarcerated or detained in any facility?
[] Yes [x] No

b. If your answer to the preceding question is "Yes," provide the following information:

1. State the court(s) where each lawsuit was filed (if federal, identify the district; if state court, identify the county or parish):

2. Name the parties to the previous lawsuit(s):

Plaintiffs: _____

Defendants: _____

3. Docket number(s): _____

4. Date(s) on which each lawsuit was filed: _____

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

x c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

☐ Yes ☒ No

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.):

II. x Place of Current Confinement: _____

x A. Is there a prison grievance procedure in this institution?

☒ Yes ☐ No

x 1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

☒ Yes ☐ No

If "Yes," what is the Administrative Remedy Procedure number?

RLCC - 2021-40

2. If you did not file an administrative grievance, explain why you have not done so.

3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal and adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

Yes, appealed through to step 3, 29 DPSC with ARPS to DPSC

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

A. Name of Plaintiff: _____

Address: _____

B. Defendant: Aw. Samuel Johnson, is employed as Assistant Warden at RLCC.

Defendant: James Longino, is employed as Assistant Warden III at RLCC.

Defendant: Donovan Dupuy, is employed as Lt. Col at RLCC.

Additional defendants: Major Vede, Major Kehon James, Col. Nichols
Aw. Bordelon, W-Marcus Myers, James LeBlanc

IV. Statement of Claim

State the facts of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. You are required to set forth only factual allegations. You are not required to set forth legal theories or arguments.

1-19-21 approx 9:20 am. I Jeffery Darbonne 404394, attending to a counting & check out routine, suddenly imposed upon Cajun 3 unit RLCC. An exercise to accustom the inmates with a new work cell duty. Roughly 120 inmates present. Per orders I was standing with my line up partner, yet so was a random inmates. Lt. Col. Donovan Dupuy observed the disorder & called upon me to get line - to which I promptly complied with a quiet statement to myself, "oh I'm not in line". The Lt. Col. D.D. couldn't have heard what I said, but understanding I had said something, called out, "You know what Darbonne get over here & stand by the fence I'm not putting up with your smart-Expletive-mouth this morning." To which I complied, once at the fence the Lt. Col. D.D. launched into a vulgar verbal assault directed at myself. I removed my sunshades as if to question the merit of his outburst. Upon removing my shades the Lt. Col. D. became silent. I replaced my shades & the Lt. Col. D. renewed the verbal assault. Again I removed my shades when the Lt. Col. D. then ordered me to submit to restraints, I did. Once in cuffs the Lt. Col. then initiated a violent attempt to slam me into the aforementioned fence. With an effort to prevent injury while restrained, I reacted with simple non-violent counter measures to safeguard my person from injury. Observing the commotion another guard, one Col. Bonnet. Now Retired, joined in.

At which time using a rough & unnecessary handling of myself. Roughly marching me enroute to the lock down unit known as crowdad. Upon gaining the sidewalk the Lt. Col. D. Redoubled his Vulgar insults while the other gave a violent wrench to my arms causing me to flip forward. Lt. Col. D.D. fell with me. While I was face down on the concrete, Lt. Col. D.D. punched me in the back of the head causing an abrasion to my Right cheek cheek

Once I got up we continued to the lock down unit at the gate of such we were joined by Maj. K. Jones. Once at the door at the lock down unit I was again punched in the back of the head. Inside the unit I was locked into a shower cage where I was promptly sprayed twice & left to cook for approx. one hour still in restraints. After the hour some officer came to uncuff me & collect my clothes to place me in a jump suit. Shortly an EMT arrived, I was blind at the time from the chem. I couldn't see. The EMT placed a card in my hands to hold under my face for the pict. that shows the abrasion on my face. I also asked that he take a pict of my wrist for the felt as if the were lacerated, which they were.

Later ~~at the~~ before the Disciplinary board, ~~At~~
~~Veade~~ chairman: Maj Veade. I made motion for
a polygraph. ~~At~~ chairman Maj. Veade Denied my motion
for polygraph with the statement That the write up
was clear & precise, thereby initiating the constitutional
violation of Due process by denying my submission of
evidence.

Later in my appeals to ARD I again ask for
polygraph for myself & officers involved, Also citing the 120
plus witnesses present during the incident. All denied where
A/W James Longino, A/W Samuel Johnson, W. Marcus Myers &
A/W Bordelon were All involved, A/W Bordelon I wrote twice
seeking assistance for the polygraph, ~~As was~~ James LeBlanc
also implicating himself in failure to provide oversight.

Whats more, I remained seg for 2 weeks shy of a year
which is further illegal

Further, there exists a watch tower over looking
the "Big ree yard" complete with observation camera which
recorded the incident within its Area.

V. Relief

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

I wish to sue the defendants in their respective official capacities for money damages

VI. Plaintiff's Declaration

- A. I declare under penalty of perjury that all of the facts represented in this complaint and any attachments hereto are true and correct.
- B. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- C. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.

Signed this Sun day of March 7, 2022.

Jeff DaBonne
Signature of Plaintiff